

FILED


PSAO 245D (Rev. 3/01) Judgment in a Criminal Case for Revocations
Sheet 1

OCT 11 2006

UNITED STATES DISTRICT COURT

SOUTHERN

District of

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY  DEPUTY

UNITED STATES OF AMERICA
V.
GARY NATHAN HARRIS (3)

JUDGMENT IN A CRIMINAL CASE(For **Revocation** of Probation or Supervised Release)

(For Offenses Committed On or After November 1, 1987)

Case Number: 99CR00870-LAB

KRISTEN L. CHURCHILL

Defendant's Attorney

REGISTRATION No. 73920198



THE DEFENDANT:

☒ admitted guilt to violation of allegation(s) No. 1-3☐ was found in violation of allegation(s) No. _____ after denial of guilt

ACCORDINGLY, the court has adjudicated that the defendant is guilty of the following allegation(s):

<u>Allegation Number</u>	<u>Nature of Violation</u>
1-2	Unlawful use of controlled substance (nv3)
3	Failure to participate in drug aftercare program (nv21)

U.S. MARSHAL
SOUTHERN DISTRICT OF
CALIFORNIA

OCT 11 8 49 AM '06

RECEIVED

Supervised Release is revoked and the defendant is sentenced as provided in pages 2 through 4 of this judgment.
This sentence is imposed pursuant to the Sentencing Reform Act of 1984.

IT IS ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

OCTOBER 2, 2006

Date of Imposition of Sentence



HON. LARRY ALAN BURNS
UNITED STATES DISTRICT JUDGE

Entered Date:

99CR00870-LAB

DEFENDANT: GARY NATHAN HARRIS (3)
CASE NUMBER: 99CR00870-LAB

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of _____
Time served as of the date a bed is available at the House of Metamorphosis. U.S. Probation Officer shall pick up the defendant for transportation to the House of Metamorphosis.

☐ The court makes the following recommendations to the Bureau of Prisons:

☐ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at _____ ☐ a.m. ☐ p.m. on _____
as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

☐ before _____
☐ as notified by the United States Marshal.
☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

99CR00870-LAB

DEFENDANT: GARY NATHAN HARRIS (3)
CASE NUMBER: 99CR00870-LAB

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of:
46 months

MANDATORY CONDITIONS

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not illegally possess a controlled substance.

The defendant shall cooperate as directed in the collection of a DNA sample, pursuant to 18 USC 3583(d).

For offenses committed on or after September 13, 1994:

The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter. Testing requirements will not exceed submission of more than 4 drug tests per month during the term of supervision, unless otherwise ordered by court.

☐ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. +

The defendant shall not possess a firearm, destructive device, or any other dangerous weapon.

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in this judgment.

The defendant shall comply with the standard conditions that have been adopted by this court. The defendant shall also comply with any special conditions imposed.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

DEFENDANT: GARY NATHAN HARRIS (3)
CASE NUMBER: 99CR00870-LAB**SPECIAL CONDITIONS OF SUPERVISION**

- ☒ Not possess any firearm, explosive device or other dangerous weapon.
- ☒ Submit to a search of person, property, residence, abode or vehicle, at a reasonable time and in a reasonable manner, by the probation officer.
- ☐ The defendant shall violate no laws, federal, state and local, minor traffic excepted.
- ☐ If deported, excluded, or allowed to voluntarily return to country of origin, not reenter the United States illegally and report to the probation officer within 72 hours of any reentry to the United States; supervision waived upon deportation, exclusion, or voluntary departure.
- ☐ Not transport, harbor, or assist undocumented aliens.
- ☐ Not associate with undocumented aliens or alien smugglers.
- ☐ Not reenter the United States illegally.
- ☐ Not enter the Republic of Mexico without written permission of the Court or probation officer.
- ☐ Report all vehicles owned or operated, or in which you have an interest, to the probation officer.
- ☐ Not possess any narcotic drug or controlled substance without a lawful medical prescription.
- ☐ Not associate with known users of, smugglers of, or dealers in narcotics, controlled substances, or dangerous drugs in any form.
- ☐ Participate in a program of mental health treatment as directed by the probation officer, take all medications as prescribed by a psychiatrist/physician, and not discontinue any medication without permission. The Court authorizes the release of the presentence report and available psychological evaluations to the mental health provider, as approved by the probation officer. The defendant may be required to contribute to the costs of services rendered in an amount to be determined by the probation officer, based on the defendant's ability to pay.
- ☐ Take no medication containing a controlled substance without valid medical prescription, and provide proof of prescription to the probation officer, if directed.
- ☐ Participate in a mental health treatment program as directed by the probation office.
- ☐ Provide complete disclosure of personal and business financial records to the probation officer as requested.
- ☐ Be prohibited from opening checking accounts or incurring new credit charges or opening additional lines of credit without approval of the probation officer.
- ☐ Seek and maintain full time employment and/or schooling or a combination of both.
- ☐ Resolve all outstanding warrants within days.
- ☐ Complete hours of community service in a program approved by the probation officer within days.
- ☒ Reside at the House of Metamorphosis as directed by the probation officer for a period of ONE YEAR.
- ☐ Reside in a Community Corrections Center (CCC) as directed by the Bureau of Prisons for a period of months commencing upon release from imprisonment.
- ☐ Remain in your place of residence for a period of months, except while working at verifiable employment, attending religious services or undergoing medical treatment.
- ☐ Not engage in any form of telemarketing, as defined in 18 USC 2325, without the written permission of the probation officer.
- ☐ Comply with the conditions of the Home Confinement Program for a period of months and days, remain at your residence except for activities or employment as approved by the court or probation officer. Wear an electronic monitoring device and follow procedures specified by the probation officer. Pay the total cost of electronic monitoring services, or a portion if deemed appropriate by the probation officer.
- ☒ Participate in a program of drug or alcohol abuse treatment, including urinalysis testing and counseling, as directed by the probation officer.
- ☐ Cooperate as directed in the collection of a DNA sample.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA)

vs)

Gary N. Harris)

CASE NUMBER

99CR870-LAB

ABSTRACT OF ORDER

Booking No.

73920198

TO THE UNITED STATES MARSHAL AND / OR WARDEN, METROPOLITAN CORRECTIONAL CENTER:

Be advised that under date of

10-11-06

the Court entered the following order:

✓

Defendant be released from custody.

Defendant placed on supervised / unsupervised probation / supervised release.

Defendant continued on supervised / unsupervised probation / supervised release
and released from custody.

Defendant released on \$ _____ bond posted.

Defendant appeared in Court. FINGERPRINT & RELEASE.

Defendant remanded and (_____ bond) (_____ bond on appeal) exonerated.

✓

Defendant sentenced to TIME SERVED, supervised release for 46 months ~~years~~.c.c. judgment Court of Appeals (_____ affirming) (_____ reversing) decision of this Court:
_____ dismissing appeal filed.

Bench Warrant Recalled.

Defendant forfeited collateral.

Case Dismissed.

Defendant to be released to Pretrial Services for electronic monitoring.

✓

Other. USPO, Krista Krell to transport dft to theHouse of Metamorphosis.Please release dft by 11:00am.

UNITED STATES MAGISTRATE JUDGE

District

OR

W. SAMUEL HAMRICK, JR.
by _____

Clerk

Deputy Clerk

Received _____

DUSM